

REMARKS

Claims 1-14 and 24 were pending in this application.

Claims 1-27 are canceled without prejudice.

Claims 28-53 are added, of which claims 28, 36, 45, and 50 are the independent claims. No new matter has been added by these amendments.

I. OBJECTION TO THE SPECIFICATION

Applicant has made appropriate changes according to the Examiner's suggestions in the Office Action. Minor typographical errors were also corrected. No new matter has been added by these amendments.

II. OBJECTION TO THE CLAIMS

Claims 11-14 have been canceled. Accordingly, no changes are required.

III. CLAIM REJECTIONS 35 U.S.C. § 112

Claims 11-14 and 24 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 11-14 and 24 are canceled herein. Accordingly, no amendments are required.

In view of the above, reconsideration and withdrawal of the 35 U.S.C. § 112 rejections are respectfully requested.

IV. CLAIM REJECTIONS 35 U.S.C. § 102

Claims 11-14 and 24 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,452,578 (hereinafter "Barber"). Claims 11-14 and 24 are canceled herein.

Claims 11 and 12 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,773,215 (hereinafter "Winberg"). Claims 11 and 12 are canceled herein.

Claims 11 stands rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,388,766 (hereinafter "Sanderson"). Claim 11 is canceled herein.

Claims 11 and 12 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,182,699 (hereinafter "Hawkes"). Claims 11 and 12 are canceled herein.

In view of the above, reconsideration and withdrawal of the 35 U.S.C. § 102 rejections are respectfully requested.

#### V. CLAIM REJECTIONS 35 U.S.C. § 103(a)

Claim 14 stands rejected under 35 U.S.C. § 103(a) as being anticipated by Barber. Claim 14 is canceled herein.

In view of the above, reconsideration and withdrawal of the 35 U.S.C. § 103 rejections are respectfully requested.

#### VI. NEW CLAIMS

New claims 28-53 are presented above. No new matter has been added by these amendments. Claims 28-53 replace former claims 1-27 and make explicit what was implicit in the Specification and previously filed claims. Specifically, at least claims 28-34 incorporate the features of canceled claims 11-14 and 24.

In order to establish a *prima facie* case of obviousness, the prior art reference must teach or suggest

all the claim limitations. Applicant respectfully submits the prior art cited by the Examiner in the rejection of claims 11-14 and 24 does not appear to teach or suggest all claim features of new independent claims 28, 36, 45, and 50. Specifically, Barber, Winberg, Sanderson, and Hawkes, neither alone nor in combination, disclose "an engine adapted to generate exhaust" and "an outlet hose in communication with and adapted to receive exhaust from the second exhaust output leg, the outlet hose being directionally controllable" as recited in new independent claim 28. Independent claims 36, 45, and 50 recite similar features and are thus allowable. Dependent claims 29-35, 37-44, 46-49, and 51-53 incorporate the features of the independent claims from which they depend and are accordingly allowable for at least the same reasons.

Additionally, previously cited and relied upon prior art U.S. Patent No. 6,641,024 (hereinafter "Lopez Alvarez") and U.S. Patent No. 4,614,237 (hereinafter "Colodner") neither alone nor in combination, appear to disclose

a valve comprising:  
    an exhaust input leg in  
communication with and adapted to  
receive exhaust from the engine;  
    a first exhaust output leg;  
    a second exhaust output leg;  
and,  
    a valve member adapted to  
selectively control exhaust flow from  
the exhaust input leg to the first  
exhaust output leg and the second  
exhaust output leg

as recited in new independent claim 28. Additionally, Colodner does not appear to show "an outlet hose in communication with and adapted to receive exhaust from the

second exhaust output leg" as recited in new independent claim 28. Rather, Colodner discloses feeding the exhaust from the engine to the intake of the blower. See, for example, Colodner, Column 2, lines 61-69. Independent claims 36, 45, and 50 recite similar features and are thus similarly allowable. Dependent claims 29-35, 37-44, 46-49, and 51-53 incorporate the features of the independent claims from which they depend and are accordingly allowable for at least the same reasons.

Accordingly, Applicant submits the prior art relied upon by the Examiner in rejection of the previously filed claims is defective with respect the claims 28-53 herein.

### III. CONCLUSION

Applicant believes all the claims are now in condition for allowance, and respectfully requests consideration and allowance of the same.

Applicant does not believe any Request for Extension of Time is required. Applicant does not believe any other fees are due regarding this amendment. The Applicant encourages the Examiner to telephone the Applicant should any issues remain.

Respectfully Submitted,

*Edwin D. Ebner*

Edwin D. Ebner

Applicant

(845) 634-5429

Dated: October 18, 2005  
New City, New York